

SENATE HISPANIC BRIEFING ROOM

HEALTH NEWS FOR THE WEEK

U.S. Senate Majority Leader Bill Frist, M.D. (R-TN) and Senator Jeff Bingaman (D-NM) today introduced the "Covering Kids Act of 2005." This legislation provides \$100 million in funding to states, local communities, schools, faith-based organizations, Indian tribes, safety net providers and others to enroll eligible children under Medicaid and State Children's Health Insurance Programs (SCHIP).

"Americans should have the security of lifelong affordable access to health care," said Frist. "Central to this goal is ensuring that America's children have access to quality care. This legislation provides grants to help organizations enroll the almost 5.6 million uninsured children who are eligible for coverage through Medicaid and SCHIP. In particular, it targets children from low-income families in both rural and urban areas, with an emphasis on overcoming enrollment barriers for minorities and other health disparity populations. By harnessing the potential of existing programs, these innovative outreach and enrollment efforts will expand coverage to underserved communities and needy children. Covering children is not only the right thing to do, but by ensuring that children have access to preventive care, it is also one of the best ways of reducing long-term strain on America's health care system. I'm proud to introduce this bipartisan legislation with Senator Bingaman, and look forward to working with my colleagues to strengthen our nation's health care system by ensuring all of our children have access to the affordable quality health care they deserve."

"Forty-five million Americans lack health insurance. More than six million of them are children who are eligible for Medicaid or SCHIP, but who aren't receiving health care benefits because their parents simply don't know these programs exist or how to enroll their children in them," Bingaman said. "This legislation shines a spotlight on this serious problem, setting aside \$100 million to sign children up for the benefits they need to be healthy."

The Covering Kids Act of 2005 empowers the Department of Health and Human Services (HHS) to award grants to organizations that conduct innovative outreach and enrollment programs for uninsured children. To be eligible, organizations will conduct assessments of the effectiveness of their activities, and collect and report enrollment data to the Secretary of HHS.

Since elected to the Senate in 1995, Senator Frist has been a long-standing advocate for covering the uninsured. He has sponsored numerous pieces of bipartisan legislation including: the "Closing the Health Care Gap Act of 2004," the "Pediatric Research Equity Act of 2003," the "Birth Defects and Developmental Disabilities Prevention Act of 2003," and the "Children's Health Act of 2000." In March, he authored an article for the journal *Health Affairs* entitled: "Overcoming Disparities in U.S. Health Care."

Bingaman, a member of the Senate Finance Committee, has written and co-written several bills to address children's health care needs, including the "Start Healthy, Stay Healthy Act," "Children's Dental Health Improvement Act," "Children's Express Lane to Health Coverage Act," and bills related to Hispanic and Native American health care to reduce health disparities.

Senators Frist and Bingaman are cosponsoring this legislation along with Senator Maria Cantwell (D-WA), Senator Thad Cochran (R-MS), Senator Susan Collins (R-ME), Senator Richard Lugar (R-IN) and Senator Rick Santorum (R-PA).

THE SENATE THE WEEK AHEAD

Debate on the nomination of Priscilla Owens

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By nearly all accounts, Honduran immigrant Miguel Estrada ranks among the finest legal minds of his generation. He should have enjoyed a speedy confirmation process when President Bush nominated him for a seat on the District of Columbia Court of Appeals four years ago. Estrada went to Harvard Law School, clerked for a Supreme Court justice, and worked in both the Bush and Clinton administrations. Republicans and Democrats alike heralded his abilities while the non-partisan American Bar Association pronounced him "highly qualified" to serve on the court.

But many Senate Democrats did not see it that way. Starting in February 2003, they took the unprecedented step of denying a judicial nominee with majority support the courtesy of an up-or-down vote. The debate over Estrada's nomination endured for over 100 hours and Senators supporting his nomination made a record seven attempts to bring it up for a vote. Each time, they failed. After two years, Miguel Estrada withdrew his name from consideration.

But he wasn't the only judge denied a vote. On the same day he nominated Estrada, President Bush also selected Priscilla Owen for an appeals court judgeship. Like him, she has an impressive resume. As an elected judge on the Texas Supreme Court for the last ten years, she received 84 percent of the vote and the endorsement of every major newspaper in the state.

Although she ran for office as a Republican, Democrats came to hold her legal judgment in high respect. Former Justice Raul Gonzalez, a Democrat, provided one point of view: "I found her to be apolitical, extremely bright, diligent in her work, and of the highest integrity," he said. "I recommend her for confirmation without reservation."

But even though Justice Owen received support from 84 percent of Texans the same Senate Democrats who fought Miguel Estrada's nomination have aligned themselves against hers. It's hard to believe that someone can get the support of almost everyone in Texas but not even the courtesy of a confirmation vote in the United States Senate.

Judicial obstruction is wrong because it breaks longstanding Senate traditions, keeps qualified people off the bench, and denies many Americans with pressing legal matters a prompt hearing of their legal concerns.

In defending their continuing efforts to block judicial nominees, Democrats have misled the American people in general and the readers of this newspaper in particular. Writing on this page earlier this week, my colleague Harry Reid and Representative Charles Gonzalez incorrectly claim that "this tactic has been used by both Republicans and Democrats for nearly 200 years." In fact, neither party used the filibuster to block nominees with majority support until Democrats blocked Estrada's nomination in 2003. My colleagues are also wrong to say "This President has the best record on judicial nominees approved by the US Senate in the last 25 years." In fact, President Bush's has the lowest approval rate of any recent president when it comes to his nominees to powerful Courts of Appeals.

That is why I've proposed a Fairness Rule: a floor vote for all nominees to Courts of Appeal and the Supreme Court, up to 100 hours of discussion, and protection of the filibuster on legislation. Democratic leaders have rejected the fairness rule and all other efforts at reaching a compromise.

Instead, they have continued obstruction. In the midst of our efforts to consider Priscilla Owen earlier this week, Senate Democrats shut down all of the Senate's committees. By doing this, they stopped efforts to consider legislation on roads, veteran's benefits, children's health, and dozens of other pressing issues. If Democrats really believe that the Senate has more important issues to consider, they only need to allow votes on President Bush's nominees.

After all, the Senate's job, first and foremost, is to vote. But the Senate has refused to vote. Quite simply, senators should do what the people elected them to do. Priscilla Owen and all of President Bush's other nominees deserve votes.

-Senator Bill Frist
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